S.B. CR.MISC.BAIL APPLICATION NO.2431/2007.

Bharat
Vs.
State

Date of order : 13/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri V.S. Shekhawat for the petitioner.
Shri Harshvardhan Nandwana P.P. for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and considered the materials placed on record.

Learned counsel for the petitioner submits that the allegation against the petitioner is one under Section 3/25 of the Arms Act which is punishable by three years imprisonment. The offence is triable by the Magistrate of Ist Class. The petitioner is in jail since 29/3/2007 and the trial will take time.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of this case but taking into consideration the facts and circumstances of the case, the nature of allegation and evidence against the petitioner and the fact that the petitioner is in confinement since 29/3/2007, I deem it appropriate to enlarge the petitioner on bail during the pendency of trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Bharat S/o Sitaram shall be released on bail in F.I.R. No.55/2007 P.S. Sangod, Kota subject to his furnishing a personal bond in the sum of Rs.20,000/- together with two sureties in the sum of Rs.10,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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